

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of) Examiner: M. Woodward
ROGER P. EKINS)
Serial No. 07/984,264) Group Art Unit: 1813
Filed: December 1, 1992) Response to Paper No. 12
For: DETERMINATION OF)
AMBIENT CONCENTRATION)
OF SEVERAL ANALYTES)

#410-1215193
RECEIVED
DEC 6 1993
GROUP 1800

AMENDMENT AND REQUEST FOR
RECONSIDERATION UNDER 37 C.F.R. §1.111

In response to the August 23, 1993 Official Action,
please amend the above-identified application as follows:

Amend the claims as set forth in the attached
Schedule A.

REMARKS

The August 23, 1993 Official Action and the
references cited therein have been carefully reviewed. In
view of the claim amendments presented herewith and the
following remarks, favorable reconsideration and allowance of
this application are respectfully requested.

In the August 23, 1993 Official Action, the
specification has been objected to, and claims 12-28 have been
rejected under 35 U.S.C. §112, first paragraph, for allegedly
failing to provide an enabling disclosure. In this
connection, the Examiner has questioned the sufficiency of the
disclosure regarding the calculation of 0.1 V/K. The Examiner
also criticizes the specification for allegedly not setting
forth "the conditions under which a value of greater than 10^4
molecules is needed in order for the assay to function".

Claims 12-28 also stand rejected under 35 U.S.C.
§103 as allegedly unpatentable based on the combined
disclosures of WO 84/01031 (Ekins '031) and U.S. 4,591,570
(Chang). The Examiner interprets Chang as disclosing
absorption conditions quite similar to those of applicant, and
from this premise concludes that it would have been obvious to